

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, AUGUST 13, 2018 7:00 P.M.**

Members Present: Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Bessner, Lewis

Members Absent: Stellato, Silkaitis

Others Present: Mayor Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Community Development Division Manager; Ellen Johnson, City Planner; Rachel Hitzemann, City Planner; Monica Hawk, Development Engineer; Bob Vann, Building & Code Enforcement Division Manager; Fire Chief Schelstreet, Asst. Chief Christensen,

1. CALL TO ORDER

The meeting was convened by Chairman Bessner at 7:00 P.M.

2. ROLL CALLED

Roll was called:

Present: Payleitner, Lemke (7:03pm), Turner, Bancroft, Gaugel, Vitek, Bessner, Lewis

Absent: Stellato, Silkaitis

3. OMNIBUS VOTE

*a. Recommendation to approve a Final Plat of Subdivision for Resubdivision #3 of The Resubdivision of Meijer #182 Subdivision (Meijer Outlot Development).

*b. Recommendation to approve a Final Plat of Subdivision for Replat of LeRoy Oakes Resubdivision.

Aldr. Bancroft made a motion to approve the omnibus items on the Agenda. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried 6-0. (Aldr. Lemke was not yet present for this vote)

4. COMMUNITY & ECONOMIC DEVELOPMENT

c. Recommendation to approve an Ordinance renaming New Peck Road to Peck Road.

Mr. Vann said the Kane County Supervisor of Assessments has requested that the City change the name to "Peck Road" with the pre-existing name. This change will assist the Tri-City Emergency Services in maintaining consistent response to calls for emergency services. The only current business that this change will affect is the Autumn Leaves Senior Care and their property is currently identified as a Peck Road address.

Aldr. Turner made a motion to approve an Ordinance renaming New Peck Rd. to Peck Rd. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 6-0. (Aldr. Lemke was not yet present for this vote)

- d. Recommendation to approve a License Agreement with First Street Development II, LLC regarding Balconies on First Street Building #3.

Mr. Colby said an agreement has been drafted to grant a license to the developer for use and maintenance of the balconies; the terms are similar to the agreement already in place for building 7A, which has balconies that extend over the First St. sidewalk. Per the agreement the property owner is responsible for maintaining the balconies in a safe condition and indemnifying and insuring the city with the city retaining the right to enforce regulations over the balconies. The agreement runs with the land and would transfer to any successor owners, including any future owner's association for the building.

Aldr. Lewis asked if they city can do anything in regard to clutter. Mr. Colby said the city would have the right to establish regulations under the license; if an issue were identified the city has the ability to impose some restrictions. Aldr. Lewis asked if those restrictions would be done in this process. Mr. Colby said there are none proposed at this time; the other agreement already in place for building 7A has no specific restrictions, but the right exists for the city to impose them if needed. Aldr. Lewis asked if outdoor grills would be allowed. Mr. Colby said those would be regulated based on building code, so there's no restriction against them under this license.

Aldr. Payleitner asked if there's a chance that the owners would put limits on the balconies in the lease agreements. Mr. Colby said they may, when they establish an association there may be further restrictions that are more specific.

Aldr. Vitek made a motion to approve a license Agreement with First Street Development II, LLC regarding Balconies on First Street Building #3. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried 7-0.

- e. Plan Commission recommendation to approve a Map Amendment, Special Use for Planned Unit Development, PUD Preliminary Plan, and Final Plat of Subdivision for Smith Road Estates (Brooke Toria Estates).

Ms. Johnson said development applications have been submitted for the 4.4 acre unincorporated property on the north side of Smith Rd. St. Charles has the ability to annex the property per a boundary agreement with West Chicago. A concept plan was reviewed last fall which was for 16 single-family lots, and now V&M Investments is proposing development similar to that concept plan. 16 single-family lots are proposed along a single street and cul-de-sac with access on Smith Rd.; per the boundary agreement a 30 ft. landscape buffer is provided along the north property line adjacent to West Chicago, which is the Cornerstone Lake subdivision. Plan Commission held a public hearing and recommended approval by a vote of 7-2, subject to 3 conditions: **1.** That a landscape plan be provided for the 30 ft. landscape buffer which demonstrates compliance with the buffer yard planting requirements. **2.** That easement conditions requiring HOA maintenance of the 30 ft. landscape buffer and restricting use of the buffer be included in the HOA covenants. **3.** Resolution of outstanding staff comments prior to City Council action. The applicant submitted a landscape plan this afternoon, which is before Committee tonight and is in response to the Plan Commission conditions. The plan shows the plantings for the landscape buffer, however, it's their intention that the buffer be kept as existing vegetation for now and if the buffer need to be re-established in the future it would be planted according to this plan.

Aldr. Payleitner asked what type of vegetation is there now. Ms. Johnson said it's kind of wild and there's some invasive species, but it hasn't been surveyed so not sure of the exact count. Aldr. Payleitner asked for clarification on the language in regard to future requirements for the city, or future planting by the city. Ms. Johnson said she believes it's a future requirement by the city.

Aldr. Lemke said he hopes this would be contingent on not digging that up for utility easements. Ms. Johnson said correct, and there will be stipulations in the HOA covenants requiring that it be kept as open space.

Aldr. Payleitner asked about the Inclusionary Housing Ordinance. Ms. Johnson said they did fill out the worksheet and are planning on a cash contribution.

Aldr. Lewis said she is pleased there are sidewalks on both sides, but she wondered if the driveways are large enough to hold vehicles and not hang over the sidewalks. Ms. Johnson said they are large enough. Aldr. Lewis asked about the utilities, and wanted to be sure they wouldn't be in the front-yard. Ms. Johnson said she believes they'll all be within the street right-of-way.

Chairman Bessner asked for clarification on the motion needed tonight. Ms. Johnson clarified that the motion is to recommend approval of the application subject to Plan Commission comments, as well as a recommendation to set a public hearing date for the annexation hearing. Ms. Johnson said date can be determined later.

Aldr. Payleitner asked if we have heard from West Chicago. Ms. Johnson said staff has heard from a Planner who did have some questions as to whether they needed the landscape buffer. We then received clarification from their Community Development Director stating that they wanted to see that buffer provided, but haven't received any other comments. Aldr. Payleitner mentioned the issues with the property to the west with water and drainage, and she wondered if that had been resolved, or if we'd be hearing about that in the future. Ms. Johnson said yes, probably in relation to that neighboring property, but they haven't provided any comments on that related to this subdivision; we haven't heard of any water issues. Ms. Tungare added that West Chicago was provided with a full set of plans and have not commented.

Aldr. Payleitner asked if all the issues Plan Commission had have been resolved. Ms. Johnson said yes, but we do need to receive HOA covenants that cover what the Plan Commission wanted to see regarding maintenance with the buffer and all the staff comments will need to be addressed on a revised plan submittal before going to Council.

Aldr. Turner made a motion to approve a Map Amendment, Special Use for Planned Unit Development, PUD Preliminary Plan, and Final Plat of Subdivision for Smith Road Estates (Brooke Toria Estates), including staff comments. Seconded by Aldr. Gaugel.

Roll was called:

Ayes: Lewis, Payleitner, Lemke Turner, Bancroft, Gaugel, Vitek

Absent: Stellato, Silkaitis

Recused:

Nays:

Motion carried 7-0

- f. Plan Commission recommendation to approve an Amendment to Special Use for Planned Unit Development for Part of Lot 2, Tyler & 64 Business Park PUD.

Ms. Johnson said a medical clinic was approved last year, the building has been partially constructed and the property owner has requested a PUD Amendment to permit a change in use to “personal services, limited” to finish the building as a salon suite facility. There will be 16 suites available for lease, each suite will be leased by an individual business owner to provide salon services and each would be accessed from a common hallway. Plan Commission recommended approval by a vote of 6-0.

Aldr. Turner made a motion to approve an Amendment to Special Use for Planned Unit Development for Part of Lot 2, Tyler & 64 Business Park PUD. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 7-0.

- g. Plan Commission recommendation to approve a General Amendment to Title 17 (Zoning Ordinance), Ch. 17.14 “Business and Mixed Use Districts” regarding Health/Fitness Clubs in the BL zoning district.

Ms. Johnson said the applicant is the owner of Benefit Health and Fitness Consultants located at 1450 W. Main St. He is seeking to expand his business and open a health club in a larger space within the same building. Health clubs are not currently permitted under BL zoning, so the amendment is necessary to permit that use. Plan Commission held a public hearing and recommended approval by a vote of 6-0.

Aldr. Lewis asked how long they’ve been in business. Mr. Saracco said 6 years at the current location.

Aldr. Vitek made a motion to approve a General Amendment to Title 17 (Zoning Ordinance), Ch. 17.14 “Business and Mixed Use Districts” regarding Health/Fitness Clubs in the BL zoning district. Seconded by Aldr. Turner. Approved unanimously by voice vote. Motion carried 7-0.

- h. Historic Preservation Commission recommendation to approve a Façade Improvement Agreement for 201 Chestnut Ave.

Mr. Colby said this grant would be for exterior repair, restoration and repainting of the original wood siding on the house. This is the first residential façade grant that’s been recommended for approval by the Historic Preservation Commission since the program was expanded to include residential properties. The estimated cost is around \$13,000 with the grant covering up to \$5,000.

Aldr. Turner made a motion to approve a Façade Improvement Agreement for 201 Chestnut Ave. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 7-0.

- i. Plan Commission recommendation to approve an Amendment to Special Use for Planned Unit Development and Minor Change to PUD Preliminary Plan for Main St. Commons PUD.

Mr. Colby said the shopping center has recently attracted new tenants, including additional anchor tenants, which has led to the request for more sign area. In order to increase the visibility of the center the owner is requesting to reduce the sign setbacks as well as modify the landscaping in some areas. Plan Commission recommended approval by a vote of 6-0.

Aldr. Bancroft made a motion to approve an amendment to Special Use for Planned Unit Development and Minor Change to PUD Preliminary Plan for Main St. Commons PUD. Seconded by Aldr. Gaugel. Approved unanimously by voice vote. Motion carried 7-0.

Chairman Bessner if asked if the existing businesses would be allowed to keep their signs on the side of the signs. Mr. Colby said the signs posted on the sides of the architectural features, per the PUD, those are not to be there. When the signs are restored or rebuilt those signs will be removed off the sides.

- j. Plan Commission recommendation to approve a General Amendment to Title 17 (Zoning Ordinance) regarding Small Cell Wireless Facilities.

Mr. Colby said this amendment would make a Small Cell antenna located in right of way a permitted use in all zoning districts; this would also be a permitted use outside of right of way in all exclusively commercial districts. Plan Commission has reviewed the application and recommends approval; some of them expressing concerns regarding the aesthetics of these antennas, but they understood the city has adopted regulations and is developing guidelines to minimize the aesthetic impacts of the antennas to the extent we are permitted to in the state act.

Aldr. Gaugel made a motion to approve a General Amendment to Title 17 (Zoning Ordinance) regarding Small Cell Wireless Facilities regarding Small Cell Wireless Facilities. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion carried 7-0.

- k. Recommendation to approve a revised Final Plat of Subdivision (Minor Subdivision) for Prairie Centre PUD- Final Plat of Resubdivision No. 1.

Mr. Colby said the developer is requesting to slightly modify the lot that was approved to remove a portion that overlaps with the north/south private street-Wright Blvd. This change is minor and does not alter the approved development plan in any way and staff recommends approval.

Aldr. Turner made a motion to approve a revised Final Plat of Subdivision (Minor Subdivision) for Prairie Centre PUD-Final Plat of Resubdivision No. 1. Seconded by Aldr. Bancroft. Approved unanimously by voice vote. Motion carried 7-0.

5. ADDITIONAL BUSINESS-None.

6. EXECUTIVE SESSION-None.

7. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS-None.

8. ADJOURNMENT- Aldr. Bancroft made a motion to adjourn at 7:21 pm. Seconded by Aldr. Lemke. Approved unanimously by voice vote. Motion Carried 8-0.